

HCS HB 1971 -- POLITICAL SUBDIVISIONS

SPONSOR: Schneider

COMMITTEE ACTION: Voted "do pass" by the Special Committee on Governmental Affairs by a vote of 7 to 0.

This substitute changes the laws regarding political subdivisions. In its main provisions, the substitute:

(1) Specifies that a petition requesting a voluntary annexation only needs to be notarized instead of verified. Any action to invalidate or challenge a previous annexation must be brought within three years of the date of the adoption of the annexation ordinance except for an action to deannex an area or challenge an annexation for failure of the annexing municipality to provide required services to the area within three years which must be brought within four years from the adoption of the annexation ordinance (Sections 71.012, 71.014, and 71.015, RSMo);

(2) Adds residential and commercial alarm and security entities to the list of businesses from which a third class city may collect a license tax (Section 94.110);

(3) Specifies that any water provider or premises owner who terminates service due to delinquency of payment by a consumer cannot be liable for any civil or criminal damages for termination of the service nor can it be deemed constructive eviction or forcible entry and detainer. Currently, any water provider who terminates service due to delinquency of payment by a consumer cannot be liable for any civil or criminal damages (Section 250.140); and

(4) Specifies that any person who purchases or pays for a real estate appraisal, directly or indirectly, for property he or she owns or has a contract to purchase will have standing to file a complaint with the Real Estate Appraisers Commission within the Department of Insurance, Financial Institutions and Professional Registration (Section 339.098).

FISCAL NOTE: No impact on state funds in FY 2013, FY 2014, and FY 2015.

PROPOSERS: Supporters say that it is difficult for a judge to determine which signatures or part of a petition were verified, but notarization is more easily discernable.

Testifying for the bill were Representative Schneider; and City of O'Fallon.

OPPONENTS: There was no opposition voiced to the committee.